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No. 225] NEW DELHI, TUESDAY, APRIL 30, 1957/VAISAKHA 10, 1879

MINISTRY OF COMMERCE AND INDUSTRY

NOTIFICATIONS

New Delhi, the 30th April, 1957

S.R.O. 1415.—In pursuance of sub-clause (2) of Clause 14B of the Cotton Control Order, 1955, I hereby prescribe the following procedure to be followed in giving effect to applications made under sub-clause (1) of the said Clause:

1. (i) A manufacturer requiring any variety or description of cotton shall make an application in duplicate to the Textile Commissioner, Bombay, in the form annexed hereto.

(ii) The Textile Commissioner may, if he is satisfied with the genuineness of the needs of the applicant, give suitable directions to any one or more 'A' Class Cotton Licensees to sell specified stocks of cotton to the applicant, or, if in the opinion of the Textile Commissioner, the variety or description of cotton required is likely to be available with a 'B' Class Cotton Licensee, he will forward such application, together with his recommendations, to the Licensing Authority of the State concerned, who shall give to such 'B' Class Cotton Licensee directions as aforesaid.

2. (i) The Textile Commissioner or the Licensing Authority of a State as the case may be shall specify in the directions issued under sub-paragraph (ii) of paragraph 1, the total provisional price not in any case exceeding 90 per cent. of the total basic ceiling price of the stocks of cotton required to be sold by the licensee, the description of cotton to be sold, the person or persons to whom the stocks shall be sold and the date on or before which the deliveries thereof shall be made, the Textile Commissioner or the Licensing Authority of a State, as the case may be, shall send a copy of the directions to the applicant with instructions to take delivery of the stocks within the period specified.

(ii) The applicant shall, on taking delivery of cotton from the licensee named in the directions, pay to him the full amount of provisional price of cotton, provided that the cotton is of the description specified in the directions.

(iii) The Textile Commissioner shall get the cotton surveyed at the cost of the applicant and shall, subject to the provisions of sub-section (3) of section 3 of the Essential Commodities Act, 1955 (10 of 1955), determine the price of the cotton in accordance with the valuation thereof by any three members of the Committee specified in Schedule B to the Textile Commissioner's Notification No. S.R.O. 2241 dated 26th September, 1956, who for purposes of such valuation shall have regard to the following matters, namely:—

- (a) the maximum and minimum prices fixed by the Textile Commissioner under clause 3 of the Cotton Control Order, 1955;
- (b) prices prevailing in the market;

(c) charges, if any, for the transport of cotton from the place where the cotton is located to the place where the applicant desires its delivery;

(d) the survey report about the class, description and the staple length of the cotton;

The provisional price shall be adjusted as against the amount finally determined and further payments by the applicant or refund of excess by the licensee, as the case may be, shall be paid or received within a week on the date on which the final amount is so determined by the Textile Commissioner.

(iv) Every applicant and licensee shall, at the time of taking and giving delivery, sample jointly 6 per cent. of the bales selected by the applicant and the applicant shall immediately send the samples properly packed and sealed to the Textile Commissioner or the Licensing Authority of a State, as the case may be.

(v) The Textile Commissioner or the Licensing Authority of a State, as the case may be, shall forward these samples to the Committee for the purpose of valuation.

(vi) All charges incurred on despatch of samples and any other incidental charges shall be borne by the applicant. The survey fees shall not exceed Rs. 16/- for every 50 bales or part thereof.

[No. 24(10)-TEX(A)/57-4.]

S.R.O. 1416.—In exercise of the powers conferred on me by clause 20 of the Cotton Control Order, 1955, and with the previous sanction of the Central Government, I hereby direct that the following further amendment shall be made in the Textile Commissioner's Notification No. S.R.O. 1104 dated the 28th April, 1956, namely:—

In the Schedule appended to the said Notification, after Serial No. 2, the following shall be inserted namely:—

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| <p>"2A. (i) Cotton Adviser, Officer of the Textile Commissioner.
Government of India Bombay.</p> <p>(ii) All Licensing Authorities appointed by the various
State Governments.</p> | } | 14A." |
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(Sd.) V. NANJAPPA,
Textile Commissioner.

S. A. TECKCHANDANI, Dy. Secy.

[No. 24(10)-TEX(A)/57-5.]